

07/24/2003 00:58 FAX

JCWSGS 22 OCT 2003

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# 16

October 22, 2003

**In re the Application of:**

Leon W.M.M. Terstappen, Galla Chandra Rao, Herman Rutner, and Paul A. Liberti

**Application Number:**

09/801,471

**Application Filed:** March 8, 2002

**Title:** LABELED CELLS FOR USE AS AN INTERNAL FUNCTIONAL CONTROL IN RARE CELL DETECTION ASSAYS

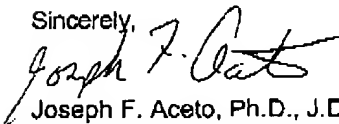
Dear Sir/Madam;

The applicant requests correction of the filing date recorded for U.S. 09/801,471. As shown in the attached documents and highlighted in yellow, the **March 8, 2001** filing date was incorrectly recorded as March 7, 2001 by the Patent Office (see copy of postal card with USPTO Stamp). The March 8, 2001 filing date is the correct date and is supported in the attached Express Mail Receipt-EL676439592US).

Note: A prior attempt was made to correct this matter by our previous representative (Kathleen Rigaut) on May 9, 2001. At that time, a request was sent to correct the filing date of U.S. Patent Application 09/801,471 (See prior fax cover sheet, activity report, along with the return card having the USPTO filing stamp with the wrong filing date and post office receipt having the correct March 8 stamp). Because this issue has not been resolved to date, we must rectify all International applications that use this date for a priority date and so would greatly appreciate your help in handling this issue expeditiously.

Thank you for all your help in each of these matters.

Sincerely,



Joseph F. Aceto, Ph.D., J.D. (50701)

Tele: 215-830-0777 ext. 237

Fax: 215-830-0751

email: jaceto@immunicon.com

DANN,

In re the Application

Leon W.M.M. Terstappen, et al.

Application Number:  
not yet assignedFor: Labeled Cells for Use As An  
Internal Functional Control In Rare  
Cell Detection Assays

The following paper(s) has been received:

Utility Patent Application Transmittal Sheet with  
Certificate of Express Mailing  
Fee Calculation Sheet (in duplicate)  
Check in the amount of \$794.00  
7 Sheets of Drawings  
57 Sheets of Specification

JC945 U.S. PTO

09/801471

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KDR

For: Labeled Cells for Use As An  
Internal Functional Control In Rare  
Cell Detection Assays

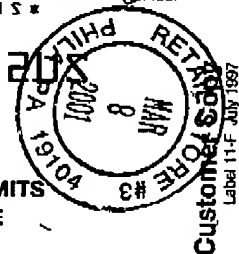
Utility Patent Application Transmittal Sheet with  
Certificate of Express Mailing  
Fee Calculation Sheet (in duplicate)  
Check in the amount of \$794.00  
7 Sheets of Drawings  
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U.S. Patent and Trademark Office

FACSIMILE #: (703) 308-7751

DATE: May 9, 2001

FROM: Kathleen D. Rigaut, Ph.D., J.D.

OPERATOR: Jane C. Bogan

RE: U.S. Patent Application No. 09/801,471

Message: Please correct the filing date on the Official Filing Receipt. The correct filing date is March 8, 2001, as evidenced by the Express Mail Receipt and Transmittal Sheet, copies which are being facsimile transmitted herewith. It is further requested that a new official filing receipt be issued when the Patent and Trademark Office records have been corrected.

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*Carolyn (Handling)*  
*703-308-0198*